

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF THE STATE OF NEW YORK**

AMERICAN SOCIETY FOR TECHNION— ISRAEL
INSTITUTE OF TECHNOLOGY, INC.,
Plaintiff,

v.

FIRST RELIANCE STANDARD LIFE
INSURANCE COMPANY,
Defendants.

CIVIL ACTION

NO.: 07-cv-03913

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK:

Defendant First Reliance Standard Life Insurance Company, by and through its attorneys,
Rawle & Henderson LLP, respectfully avers as follows:

1. On or about April 20, 2007, plaintiff commenced a civil action against defendant in the Supreme Court of New York for New York County. See Plaintiff's Summons & Complaint attached hereto as Exhibit "A."

2. According to the Complaint, this lawsuit arises out of a claim for additional life insurance benefits under a group policy issued by First Reliance Standard Life Insurance Company (“First Reliance Standard”). See Exhibit “A.”

3. The Summons and Complaint, being the original process in this case, was first received by defendant, no earlier than April 30, 2007.

4. In this lawsuit, plaintiff, American Society for Technion—Israel Institute of Technology, Inc (“AST”), seeks benefits it believes are due under the Policy. See Exhibit “A.”

5. This coverage was made available to employees of AST as part of an employee welfare benefit plan that is governed by the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §§ 1001, et seq.

6. Plaintiff is an employer who paid premiums in connection with coverage offered to its employees.

7. A cause of action filed in state court seeking recovery of benefits under an employee welfare benefit plan is removable to federal court pursuant to 28 U.S.C. §1441(c), as ~~an action arising under a federal law. See Metropolitan Life Ins. Co. v. Taylor, 481 U.S. 58~~ (1987); *Pilot Life Ins. Co. v. Dedeaux*, 481 U.S. 41 (1987).

8. This court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §1331 and 29 U.S.C. §1132 (e). As a civil action founded upon a claim of right arising under the laws of the United States, this action may be removed to this court pursuant to the provisions of 28 U.S.C. §1441(a), (b) and (c).

9. This Notice of Removal is being filed within thirty (30) days of defendant's receipt of the Complaint as required by 28 U.S.C. §1446(b).

10. No pleadings, process or orders other than the Complaint have been served on defendant and therefore no other pleadings, process or orders are attached to this Notice as required by 28 U.S.C. §1446(a).

11. All fees required by law in connection with this notice have been filed by Defendant.

WHEREFORE, defendant First Reliance Standard Life Insurance Company, prays that the above-captioned action now pending in the Supreme Court of New York for New York County, be removed therefrom to This Honorable Court.

RAWLE & HENDERSON LLP

By: 

Joshua Bachrach
Attorneys for Defendant,
First Reliance Standard Life
Insurance Company
140 Broadway, Suite 4636
New York, NY 10005
(212) 858-7570

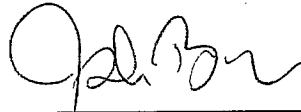
Dated: May 16, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Removal was served upon the below listed counsel this 16th day of May, 2007 by overnight mail, postage prepaid.

David S. Pegno
DEWEY PEGNO & KRAMARKSY LLP
220 East 42nd Street
New York, New York 10017

RAWLE & HENDERSON LLP

A handwritten signature in black ink, appearing to read "J. Bachrach", written over a horizontal line.

Joshua Bachrach

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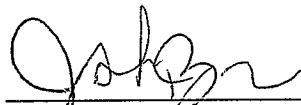
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Rule 7.1 Statement

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to
~~enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or~~
recusal, the undersigned counsel for First Reliance Standard Life Insurance Company, (a private
non-governmental party) certifies that the following are corporate parents, affiliates and/or
subsidiaries of said party, which are publicly held: Delphi Financial Group, Inc.

Date: May 16, 2007



Joshua Bachrach, Esquire JB5707
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